



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-097652-25-SA

In the matter of: 1208, 311 Dixon Road
Toronto ON M9R1S3

Between: Dixon Holdings Landlord

And

Stephanie Anderson Tenants
Tevin Anderson

Dixon Holdings (the 'Landlord') applied for an order to terminate the tenancy and evict Stephanie Anderson and Tevin Anderson (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on September 12, 2025 with respect to application LTB-L-057059-25.

The Landlord's application was resolved by order LTB-L-097652-25, issued on November 25, 2025. This order was issued without a hearing being held.

On December 2, 2025, the Tenants filed a motion to set aside order LTB-L-097652-25.

This motion was heard by videoconference on January 5, 2026.

Only the Tenant, Stephanie Anderson, attended the hearing on behalf of both named Tenants. They also spoke with Tenant Duty Counsel on the hearing date.

As of **10:10am**, the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

There was a breach of the previous order

1. The Tenant admits that they failed to pay the November 1, 2025 rent on November 1st and failed to pay the arrears of \$501.09 by October 26, 2025. They admit to being short and late for the arrears and only paid \$500.00 rather than the required \$501.09. They also admit to not paying the November rent until November 28th.

2. I am satisfied that the Tenant failed to meet a condition specified in the order issued by the LTB on September 12, 2025 with respect to application LTB-L-057059-25 on the basis they don't dispute it.

The surrounding circumstances

3. The Tenant has since made a substantial payment to the Landlord and request that I grant their motion on the basis that they are not yet ready to find alternative housing and they believe they made up for the missed payments and arrears with a payment on November 28th of \$3,240.69.
4. When I calculate the amount the Tenant was required to pay by the end of November 2025, I come up short by \$267.58 based on the Tenant's submissions for their payment. (\$2005.44 still owing plus the November rent of \$1,502.83 is \$3,508.27 - less the payment of \$3,240.69)
5. The Tenant admits that they have not yet paid the December 2025 rent in full and have not paid the January 2026 rent because they were considering vacating the unit on January 31, 2026 and thought their last month's rent deposit would apply to January. They have since reconsidered their plan to vacate by January 31st and requested that I reinstate the previous payment plan.
6. Since the Landlord did not attend the hearing to make any submissions regarding any prejudice they would suffer with respect to reinstating the previous order, I find it appropriate to grant the Tenant's request and to dismiss the Landlord's L4 application. I find granting the motion to not be unfair under all of the disclosed circumstances.

It is ordered that:

1. The motion to set aside Order LTB-L-097652-25, issued on November 25, 2025, is granted and the order is amended is as follows:
2. The Landlord's L4 application is dismissed.

January 12, 2026
Date Issued

Terri van Huisstede
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.